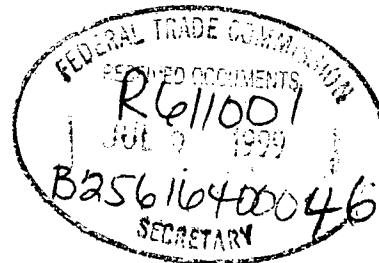


# Pray Funeral Home, Inc.

401 West Seminary  
Charlotte, Michigan 48813  
(517) 543-2950

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Secretary, Federal Trade Commission  
Room H-159  
600 Pennsylvania Avenue, NW  
Washington, D.C. 20580

Dear Secretary, Federal Trade Commission,

Subject: 16 CFR Part 453

I would like to offer the following comments on portions of the existing Funeral Rule as it comes up for review.

Our experience with the current Funeral Rule has been mostly positive. We distribute General Price lists and pricing information as required under the rule. In our years of working with families we have experienced an extremely low number of people shopping for funeral prices. From our records we have calculated that less than 2 % of families we serve have "shopped". The number of telephone inquiries that we receive for price information is minimal, less than two calls a month according to our telephone inquiry files. Most families when presented with the GPL simply hold on to it and use it very little for reference. Our company policy is to review the listings and categories at the beginning of the discussion of services. We have found that most families we serve are more interested in the total cost of the type of services they have in mind rather than the itemized expenses.

The definition of Funeral Provider should be expanded to all providers within the funeral, burial, and memorial industry. The lines of separation between funeral homes, funeral service providers, cemeteries, memorial societies, funeral merchandise providers, casket stores etc. is becoming almost non-existent. Therefore any and all providers of funeral services, memorial services, merchandise etc should come under the definition of "funeral provider" and should be covered by the "Funeral Rule"

Non declinable Fees that are currently allowed under the rule should be left in place. Non Declinable fees cover the expenses of developing and maintaining a facility, and staff 24 hours a day seven days a week. These expenses are incurred whether a family selects a minimum service, or an elaborate service. Therefore the base costs should be distributed to each family we serve. Most funeral homes do not unfairly load up this "non-declinable" charge to receive unfair compensation as some critics charge. Most funeral homes allocate a fair portion of these "ready to serve" charges to each family to enable each family to cover their fair share of these "ready to serve expenses". I often have compared the Non Declinable Service Fee to a physician charging a patient for an office visit. That charge is to cover their fixed expenses such as office, personnel, and training expenses that must be recovered from each patient, or client. The elimination of our nondeclinable service fee would be similar to telling physicians that they can't charge for an office visit.

As I understand there are other groups that are lobbying to add more required listings to the General Price List. Additional required listings on the General Price List beyond the current requirements may prove to be burdensome and confusing to the consumer. There are many variations of the

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traditional or standard funeral service in any community. These traditions vary from state to state based on local, ethnic, and religious customs. Modern funeral service is also evolving everyday with new variations on traditional and limited services. It would be difficult to come up with a standard service listing that would make sense to families throughout the U.S.

Adding more categories such as body donation, private viewing, the price for cremation and rental caskets would only add more confusion for most families. Our companies general price list already includes a price for private family or limited family visitation. Why add more confusion? The Funeral and Memorial Societies of America has also asked for a listing for private viewing without embalming. However, this would be a conflict of policies and procedures for many companies. The FTC Funeral Rule does allow funeral home policy to request permission to embalm if there is to be any viewing or visitation. This is for the public health of the family as well as the employees of the funeral firm. If we were required to have such an entry on the list, but were not able to provide it because of company policies that were in place to protect families and employees, this again would cause more confusion for the family who may already be in a fragile emotional condition. Therefore I would recommend that additional service listings not be required in the new rule.

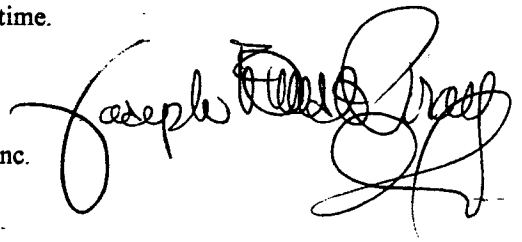
Additional listing for merchandise such as rental caskets as requested by FAMSA is also a redundant request. A rental casket is already included in the casket listing by the current FTC funeral rule.

Cemeteries should be covered under the rule and be subject to the same requirements of accepting third party or outside suppliers of goods and services as the funeral homes. We have had instances where the family has requested to use their own equipment or personnel to open a grave in a cemetery that they felt was charging an outrageous price for the opening of the grave. We have also had families that have been discouraged by cemeteries who have charged higher prices for the foundation for a family marker or monument if it is purchased outside of the cemetery. They should be barred from refusing or adding additional charges to third party merchandise. Cemeteries and third party sale organizations are also selling an increasing number of funeral items such as caskets, vaults, and in some cases even brokered funeral services which are supposedly redeemable at any area funeral home. They should be covered by the rule even if they are not connected with a funeral home or mortuary.

Discounted packages are an area that should not be limited by the FTC. The practice of offering a package of goods and services at a reduced price is common in almost every segment of the economy. Auto companies have option packages for a consumer to choose when purchasing a new car, and fast food restaurants have packaged meals. This is an option that businesses use to offer a better value to the consumer as well as to help control the businesses own costs through economies of purchasing, scheduling etc. This option for the funeral service provider should not be curbed. It takes away freedom of pricing, and is detrimental to the consumer by not allowing them to receive a better price on the packaged items.

I would like to thank the FTC for its thorough review of the Funeral Rule at this time. If I can be of further help as the review or hearings progress, please contact me at any time.

Respectfully,  
Joseph Ernest Pray  
Secretary Treasurer  
Pray Funeral Home, Inc.

A large, stylized handwritten signature in black ink, appearing to read "Joseph Ernest Pray".